

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Tomiyasu Ueta et al.

Application No.: 10/578,574

Confirmation No.: 9012

Filed: February 12, 2007

Art Unit: 1796

For: CEMENT ADMIXTURE

Examiner: D. E. Valdez

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

I hereby certify, pursuant to 37 CFR 1.97(c)(1), that each item of information contained in this Information Disclosure Statement except for Citations BB and BC was first cited in any communication from a foreign patent office not more than three months prior to the filing of this Information Disclosure Statement. Citations BB and BC are cited since they are English

language patent applications that claim priority from Citation BA. Citations BA and BD were first cited in an office action in a counterpart Japanese Application No. 2004-319770, received February 2, 2010, (copy enclosed). The other reference cited in the office action in Japanese Application No. 2004-319770 has already been cited in an Information Disclosure Statement in this application.

The relevance of Citations BA and BD can be found in their full machine English translations and in their attached English language abstracts. In addition, the relevance of Citation BA can be found in Citations BB and BC, which claim priority from Citation BA.

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is “prior art” for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0185, under Order No. 21581-00361-US1.

Dated: April 12, 2010
BAA/prb

Respectfully submitted,

Electronic signature: /Burton A. Amernick/
Burton A. Amernick
Registration No.: 24,852
CONNOLLY BOVE LODGE & HUTZ LLP
1875 Eye Street, NW
Suite 1100
Washington, DC 20006
(202) 331-7111
(202) 293-6229 (Fax)
Attorney for Assignee